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**From:** Strauss, Linda [Strauss.Linda@epa.gov]  
**Sent:** 11/1/2018 8:39:29 PM  
**To:** Sisco, Debby [Sisco.Debby@epa.gov]; Dunton, Cheryl [Dunton.Cheryl@epa.gov]  
**CC:** Keigwin, Richard [Keigwin.Richard@epa.gov]; Dinkins, Darlene [Dinkins.Darlene@epa.gov]; Courtnage, Robert [Courtnage.Robert@EPA.GOV]; Chiu, Enid [Chiu.Enid@epa.gov]; Han, Kaythi [Han.Kaythi@epa.gov]  
**Subject:** RE: For OGC Review: RED RIVER FARM NTW - DICAMBA - press inquiry

OK w/Rick to go?

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**From:** Sisco, Debby  
**Sent:** Thursday, November 01, 2018 4:21 PM  
**To:** Strauss, Linda <Strauss.Linda@epa.gov>; Dunton, Cheryl <Dunton.Cheryl@epa.gov>  
**Cc:** Keigwin, Richard <Keigwin.Richard@epa.gov>; Dinkins, Darlene <Dinkins.Darlene@epa.gov>; Courtnage, Robert <Courtnage.Robert@EPA.GOV>; Chiu, Enid <Chiu.Enid@epa.gov>; Han, Kaythi <Han.Kaythi@epa.gov>  
**Subject:** FW: For OGC Review: RED RIVER FARM NTW - DICAMBA - press inquiry

Bob Perlis approved:

**1. Why a one-size fits all label? What is being done to encourage state-level regulations?**

**R1.** EPA recognizes and supports the important authority FIFRA section 24(c) as well as other authorities give the states for issuing locally appropriate regulations for pesticide use. If a state wishes to modify the over-the-top labels for dicamba in order to better meet their circumstances, the agency will work with them to support their goals.

**2. Does the 45 day restriction totally replace the 'up to or including R1 stage for soybeans'? Why or why not?**

**R2.** The directions for use on soybeans include restrictions on 45 days after planting and retains the R1 growth stage restriction, whichever comes first. This was done to add protective measures to further minimize the potential for off-site damage.

**3. Does the endangered species portion of the label mean both plants and animals? Where did this recommendation come from?**

**R3.** The endangered species effects determination addresses both federally listed threatened and endangered plants and animals as well as designated critical habitat. An extensive effects determination was undertaken to support the decision the agency has reached in this case. The effects determination document is available on the docket (EPA-HQ-OPP-2016-0187).

**4. What does success look like under this new label?**

**R4.** The intent of this action is to help support producers who face ongoing challenges in weed management while also mitigating impacts on non-target species.

*Debby Sisco*

Ethics Officer and Special Assistant to the Director  
Office of Pesticide Programs (7501P)  
US Environmental Protection Agency

4<sup>th</sup> floor - 4241 Potomac Yard South  
(office: 703 308-8121; Mobile: 571 317-4823)

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**From:** Sisco, Debby

**Sent:** Thursday, November 1, 2018 4:12 PM

**To:** Perlis, Robert <[Perlis.Robert@epa.gov](mailto:Perlis.Robert@epa.gov)>; Chiu, Enid <[Chiu.Enid@epa.gov](mailto:Chiu.Enid@epa.gov)>

**Cc:** Courtnage, Robert <[Courtnage.Robert@EPA.GOV](mailto:Courtnage.Robert@EPA.GOV)>; Han, Kaythi <[Han.Kaythi@epa.gov](mailto:Han.Kaythi@epa.gov)>; Dinkins, Darlene <[Dinkins.Darlene@epa.gov](mailto:Dinkins.Darlene@epa.gov)>

**Subject:** For OGC Review: RED RIVER FARM NTW - DICAMBA - press inquiry

Bob - for your approval.

**Incoming:**

**Reporter:** Carah (need last name)

**Outlet:** Red River Farm Network

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US Environmental Protection Agency

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(office: 703 308-8121; Mobile: 571 317-4823)

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**From:** Keigwin, Richard  
**Sent:** Thursday, November 1, 2018 4:03 PM  
**To:** Sisco, Debby <[Sisco.Debby@epa.gov](mailto:Sisco.Debby@epa.gov)>; Chiu, Enid <[Chiu.Enid@epa.gov](mailto:Chiu.Enid@epa.gov)>  
**Subject:** RE: For Your Review: RED RIVER FARM NTW - DICAMBA - press inquiry

States can issue regulations under 24(c), then can issue registrations under certain circumstances. States can issue regulations under other parts of section 24. OGC should review.

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**From:** Sisco, Debby  
**Sent:** Thursday, November 01, 2018 4:00 PM  
**To:** Chiu, Enid <[Chiu.Enid@epa.gov](mailto:Chiu.Enid@epa.gov)>; Keigwin, Richard <[Keigwin.Richard@epa.gov](mailto:Keigwin.Richard@epa.gov)>  
**Subject:** RE: For Your Review: RED RIVER FARM NTW - DICAMBA - press inquiry

Rick, see Enid's comment below. I had changed it to make it match our earlier response so we would be consistent and the DTN question specifically targeted 24(c). I assumed they were echoing the same theory. Perhaps we could resolve the problem by adding, "as well as other mechanisms, such as state legislation, etc."

*Debby Sisco*

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US Environmental Protection Agency  
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**From:** Chiu, Enid  
**Sent:** Thursday, November 1, 2018 3:53 PM  
**To:** Sisco, Debby <[Sisco.Debby@epa.gov](mailto:Sisco.Debby@epa.gov)>  
**Subject:** RE: For Your Review: RED RIVER FARM NTW - DICAMBA - press inquiry

Debby, when this was still under RD review, they wanted to make the response to #1 not restricted to only 24c, since they have other mechanisms beyond 24c to regulate pesticides (state legislation, etc.).

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**Enid Chiu**  
Communication Services Branch  
Office of Pesticide Programs  
U.S. Environmental Protection Agency  
(703) 347-8262 | [chiu.enid@epa.gov](mailto:chiu.enid@epa.gov)  
<https://www.epa.gov/pesticides>

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**From:** Sisco, Debby  
**Sent:** Thursday, November 1, 2018 3:50 PM  
**To:** Keigwin, Richard <[Keigwin.Richard@epa.gov](mailto:Keigwin.Richard@epa.gov)>  
**Cc:** Chiu, Enid <[Chiu.Enid@epa.gov](mailto:Chiu.Enid@epa.gov)>; Courtnage, Robert <[Courtnage.Robert@EPA.GOV](mailto:Courtnage.Robert@EPA.GOV)>; Han, Kaythi <[Han.Kaythi@epa.gov](mailto:Han.Kaythi@epa.gov)>; Dinkins, Darlene <[Dinkins.Darlene@epa.gov](mailto:Dinkins.Darlene@epa.gov)>

**Subject:** For Your Review: RED RIVER FARM NTW - DICAMBA - press inquiry

**Importance:** High

**Incoming:**

**Reporter:** Carah (need last name)

**Outlet:** Red River Farm Network

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**From:** Chiu, Enid

**Sent:** Thursday, November 1, 2018 3:42 PM

**To:** Sisco, Debby <[Sisco.Debby@epa.gov](mailto:Sisco.Debby@epa.gov)>

**Cc:** Dinkins, Darlene <[Dinkins.Darlene@epa.gov](mailto:Dinkins.Darlene@epa.gov)>; Courtnage, Robert <[Courtnage.Robert@EPA.GOV](mailto:Courtnage.Robert@EPA.GOV)>; Han, Kaythi

<Han.Kaythi@epa.gov>

**Subject:** For Your Review: RED RIVER FARM NTW - DICAMBA - press inquiry

**Importance:** High

Debby,

See the response below, approved by RD and EFED staff and management. Thanks.

**Incoming:**

**Reporter:** Carah (need last name)

**Outlet:** Red River Farm Network

1. Why a one-size fits all label? What is being done to encourage state-level regulations?
2. Does the 45 day restriction totally replace the 'up to or including R1 stage for soybeans'? Why or why not?
3. Does the endangered species portion of the label mean both plants and animals? Where did this recommendation come from?
4. What does success look like under this new label?

**Draft Responses:**

## Ex. 5 Deliberative Process (DP)